

32015
DO

SERVICE DATE - LATE RELEASE JULY 17, 2001

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-303 (Sub-No. 22X)

WISCONSIN CENTRAL LTD.—ABANDONMENT
EXEMPTION—IN CALUMET AND BROWN COUNTIES, WI

Decided: July 17, 2001

On January 19, 2001, a decision and notice of interim trail use or abandonment (NITU) was served authorizing a 180-day period for the Wisconsin Department of Natural Resources (WisDNR) to negotiate an interim trail use/rail banking agreement with Wisconsin Central Ltd. (WCL), for a 12.6-mile line of railroad, known as the Hilbert-Greenleaf Line, extending from milepost 170.4 at Hilbert to milepost 183 at Greenleaf, in Calumet and Brown Counties, WI. The 180-day negotiating period is scheduled to expire on July 18, 2001.

On July 13, 2001, WCL and the Wisconsin Department of Transportation (WisDOT)¹ jointly filed a request asking that the negotiating period be extended for an additional 180 days. They submit that WisDNR and WCL have been negotiating in good faith, but that more time is needed to finalize a trail use agreement.

Where, as here, the carrier is willing to continue trail use negotiations, the negotiating period may be extended.² Under the circumstances, an extension of the negotiating period is warranted and will promote the establishment of trail use and rail banking consistent with the National Trails System Act, 16 U.S.C. 1247(d). Accordingly, the NITU negotiating period will be extended for an additional 180 days from July 18, 2001.

This decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

¹ WisDOT is the designated state agency for rail matters in the State of Wisconsin. WisDOT is filing on behalf of WisDNR, the lead state agency responsible for designating, acquiring, developing, and maintaining a system of state trails for public use.

² See Rail Abandonments—Supplemental Trails Act Procedures, 4 I.C.C.2d 152 (1987).

It is ordered:

1. The negotiating period is extended to January 14, 2002.
2. This decision is effective on its service date.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams
Secretary